

**CHAPTER NO. 886**

**HOUSE BILL NO. 3012**

**By Representative Westmoreland**

**Substituted for: Senate Bill No. 2607**

**By Senator Herron**

AN ACT to amend Tennessee Code Annotated, Section 55-10-108, relative to written reports of motor vehicle accidents.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-108(b), is amended by deleting the language "within twenty-four (24) hours" and by substituting instead the language "within seven (7) calendar days".

SECTION 2. Tennessee Code Annotated, Section 55-10-108, is amended by adding the following as a new subsection thereto:

( ) The Department of Safety shall monitor written reports of accidents forwarded to the department by law enforcement agencies to ensure that such reports are being forwarded timely. The department shall notify any law enforcement agency which fails consistently to forward such reports within seven (7) calendar days pursuant to the provisions of subsection (b).

SECTION 3. Tennessee Code Annotated, Section 55-10-108, is amended by adding a new subsection:

( ) Any written report of a motor vehicle accident investigated by the department or prepared by pursuant to subsection (b) of this section shall be open to public inspection as a public record under the provisions of the Tennessee public records law, Tennessee Code Annotated, Title 10, Chapter 7, except that information on automobile liability insurance in such reports shall be excluded from public inspection. It is an offense punishable as a Class A misdemeanor for any person to knowingly use such written report or information contained in the report for solicitation that is prohibited by a standard of conduct or practice of any profession licensed by the State.

SECTION 4. Tennessee Code Annotated, Section 55-10-108, is amended by adding a new subsection:

( ) A person who holds a professional license regulated in the Executive Branch of the State of Tennessee who uses information obtained pursuant to this section in violation of a code of professional ethics or rule of professional conduct is guilty of a Class B misdemeanor punishable by fine only.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall take effect July 1, 1998, the public welfare requiring it.

PASSED: April 22, 1998

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 6<sup>th</sup> day of May 1998

  
DON SNOGRASS, GOVERNOR